



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,171	01/15/2004	Allyn Hubbard	B1102.700015US01

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211



CONFIRMATION NO. 1143

## FORMALITIES LETTER



\*OC000000012432796\*

11/29/2004 ZJUHR1 00000040 232825 10760171

Date Mailed: 04/23/2004

01 FC:2001 ~~395.00 DA~~  
02 FC:2051 ~~65.00 DA~~  
03 FC:2202 ~~45.00 DA~~  
04 FC:2201 ~~176.00 DA~~

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

12/03/2004 ZJUHR1 00000027 232825 10760171

## Filing Date Granted

01 FC:2004 395.00 DA  
02 FC:2204 176.00 DA  
03 FC:2205 45.00 DA  
04 FC:2051 65.00 DA

In application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$520 as a non-small entity, including any required multiple dependent claim fee, are

Adjustment date: 12/03/2004 ZJUHR1 10760171  
11/29/2004 ZJUHR1 00000040 232825  
01 FC:2001 395.00 DA  
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03 FC:2205 45.00 DA  
04 FC:2051 65.00 DA

required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1420** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$520**
  - **\$430** for 5 independent claims over the original patent.
  - **\$90** for 5 total claims over the higher of 20, or the amount in the original patent.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

 **Nathaniel R. Hayden**

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



DOCKET NO.: B1102.70015US01

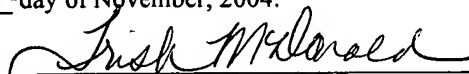
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Allyn Hubbard, et al.  
Serial No: 10/760,171  
Confirmation. No.: 1143  
Filed: January 15, 2004  
For: APPARATUS FOR PERFORMING ASSAYS AT REACTION  
SITES  
Examiner: Not Yet Assigned  
Art Unit: 1743

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 23<sup>rd</sup> day of November, 2004.

  
Signature

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**Mail Stop Missing Parts**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Part 2 - Notice to File Missing Parts
- ☒ Supplemental Preliminary Amendment
- ☒ Consent Of Assignees to Reissue and Offer to Surrender Original Letters Patent
- ☒ Certification Under 37 C.F.R. §3.73(b)
- ☒ Reissue Application Declaration by Inventors
- ☒ Fee Calculation Sheet Including Written Assertion of Entitlement to Small Entity Status By Payment of The Small Entity Basic Filing Fee Under 37 C.F.R. §1.27(c)(3)
- ☒ Petition for Five Month Extension of Time
- ☒ Return Receipt Postcard

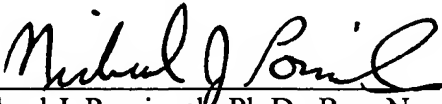
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Serial No.: 10/760,171  
Docket No.: B1102.70015US01  
Page 2 of 2

Confirmation No.: 1143

Please charge the filing fee, extension of time fee, and additional claim fees (\$1,370.00) to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:   
Michael J. Pomianek, Ph.D., Reg. No.: 46,190  
Timothy J. Oyer, Ph.D., Reg. No.: 36,628  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617)720-3500

Date: November 23, 2004  
x11/23/04x  
802125



Docket No. B1102.70015US01

Inventor(s): HUBBARD, Allyn

Serial No: 10/760,171

Confirmation No.: 1143

Filed: January 15, 2004

CHECK BOX, if applicable:

For: APPARATUS FOR PERFORMING ASSAYS AT  
REACTION SITES☐ DUPLICATE

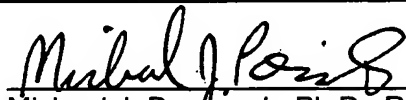
## Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	57-52=	5 x	\$ 18.00	= \$ 90.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	7-2=	5 x	\$ 88.00	= \$ 440.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 530.00
	Fee for Petition for Five Month Extension of Time (if any)				\$ 2,080.00
	Late Declaration Surcharge				\$ 130.00
	Total of above Calculations =				\$ 2,740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$ 1370.00
	Assignment Recordation Fee (if any)				\$ 0.00
	TOTAL =				\$ 1,370.00

1. Please charge \$1,370.00 to Deposit Account No. 23/2825 to cover the filing fee, additional claim fees, and extension of time fees.

## General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 or ☒ 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

  
Michael J. Pomjanek, Ph.D., Reg. No. 46,190  
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600 Atlantic Avenue  
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Date: November 23, 2004  
803545